

Mail to Mrs Bene Spears
Cashmere, Wash 98815

1 FEE 2⁰⁰

2 FILED FOR RECORD

McKeller Agency

1969 APR 21 PM 1 49

WARRANTY DEED

BOOK 692 PAGE 1389

CHELAN COUNTY AUDITOR
WENATCHEE, WASH



689736



The grantor, NETTIE M. HOREY, a widow, for and in consideration of the sum of \$23,000.00, in hand paid, conveys and warrants to DONALD F. SMITH and MARTHA E. SMITH, husband and wife, the address of whom is Cashmere, Washington, the following described real estate situated in the County of Chelan, State of Washington, to-wit:

Southwest quarter of the Southwest quarter; the Southeast quarter of the Southwest quarter; the Southwest quarter of the Southeast quarter; the South half of the North half of the Southeast quarter of the Southeast quarter and the North half of the South half of the Southeast quarter of the Southeast quarter of Section 8, Township 23 North, Range 19, E.W.M., Chelan County, Washington.

ALSO THE following described personal property situate on said premises:

6 ladders (2 new 16 ft., 3 old 14 ft., 1 10 ft.)
260 ft. aluminum pipe
200 ft. spray hose
Portable sprayer
Puddle jumper
Hay rake and wagon trailer
Irrigation well pump
Props
Anvil

REAL ESTATE EXCISE TAX
EXEMPT
Chelan County Treasurer
T. E. McKee
Deputy

The within deed is given in consummation of the real estate contract dated the 22nd day of May, 1961, made and entered into by and between grantor as vendor and grantees as purchasers of record in book 627 at page 87, under auditor's file No. 579778, records of Chelan County, Washington, and the covenants of warranty herein do not run as to any matter in said contract contained on the part of purchasers to be performed.

IN WITNESS WHEREOF, I have hereunto set my hand this 18 day of April 1969.

NETTIE M. HOREY

STATE OF WASHINGTON)
COUNTY OF CHELAN) ss.

On this day personally appeared before me NETTIE M. HOREY, a widow, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged to me that she signed the same as her free and voluntary act and deed for the uses and purposes therein mentioned..

Given under my hand and official seal this 18 day of April 1969.

Notary Public in and for the State
of Washington residing at Cashmere

\$2300 Excise Tax paid on
Contract - Receipt #20295



Donald Smith
4380 Mission Creek Rd
Cashmere, WA 98815-9602



0000

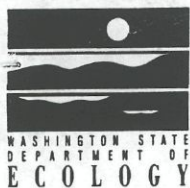
98504

U.S. POSTAGE
PAID
CASHMERE, WA
98815
AUG 14, '98
AMOUNT

\$0.78
00015352-02

Dept. of Ecology
Water Resource Program
Appeal Coordinator
P.O. BX 47600
Olympia, WA. 98504-7600

RECEIVED
AUG 17 1998
Water Resource Program
Department of Ecology



SECTION PLAT

Sec. 8 Twp. 23 N.R. 19

W N E S

to House Water

1. Outline property described in application
2. Show by a cross (X) the location of point of diversion (surface water source) or point of withdrawal (ground water source).
For ground water applications, show by a circle (O) the locations of other wells or works within a quarter of a mile.
3. Indicate traveling directions from nearest town.

Scale: 1 inch = 800 feet (each small square = 10 acres)

Cashmere, WA. Take Division St. Entrance - go across
Railroad track Turn LEFT ON Mission Cyn 2 mi
From Bank. White Birch Tree on Right Hand side of
Rd.

RECEIVED

AUG 17 1998

Water Resources Program
Department of Ecology

August 4, 1998

Dept of Ecology
Water Resources Program
Appeal Coordinator
POB 47600
Olympia, Wa. 98504-7600

Dear Sirs,

I am writing to appeal the decision made by the DOE - Water Resources program not to file my statement of claim for water rights to the well which is located on my property. See copy of letter attached. I am unable to understand exactly why this decision has been made. Please reconsider my claim and explain to me exactly what is happening here. I have lived on this property since 1946, having purchased the property and associated water in June of that year. Now all of a sudden as I attempt to solidify this claim and register my water rights I am denied. Why??

Thank you for your consideration in this matter. I await your decision and response.

Sincerely,

Donald F. Smith



enc.

cc: Pollution Control Hearings Board



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

P.O. Box 47600 • Olympia, Washington 98504-7600
(360) 407-6000 • TDD Only (Hearing Impaired) (360) 407-6006

RECEIVED
AUG 17 1998
Water Resources Program
Department of Ecology

July 22, 1998

Donald F Smith
4380 Mission Creek Rd
Cashmere WA 98815

Dear Donald F Smith:

The 1997 legislature has opened a new filing period for the acceptance of statement of claims to the water right claims registry. This office received your statement of claim form(s) on June 26, 1998 under receipt number 1762. A review of the information you provided has been conducted.

RCW 90.14.041 and 90.14.068 provide that certain water users may not file water right claims during the 1997-1998 opening of the Water Right Claims Registry. Based on those provisions, your Statement of Claim form(s) will not be filed for the following reasons:

For ground water, date water was first put to use was after June 7, 1945.

This decision may be appealed under RCW 43.21B.310. Your appeal must be filed with the Pollution Control Hearings Board, Post Office Box 40903, Olympia, Washington 98504-0903 within thirty (30) days of the date this order was mailed. At the same time, your appeal must also be sent to the Department of Ecology, Water Resources Program c/o Appeal Coordinator, Post Office Box 47600, Olympia, Washington 98504-7600. Your appeal alone will not stay the effectiveness of this decision. Stay requests must be submitted in accordance with RCW 43.21B.320.

If you have questions, call the Claims Coordinator at (360) 407-6738. **NOTE:** Please refer to receipt number 1762 on any correspondence or phone call you make in reference to this claim.

Sincerely,

Lynda Berry-Jarvis

for Carrie Berry
Section Supervisor
Water Resources Program

Enclosure



STATE OF WASHINGTON
DEPARTMENT OF ECOLOGY

STATEMENT OF WATER RIGHT CLAIM

FOR OFFICE USE ONLY

8002752

45/17

1. Donald F Smith
Name
4380 Mission Creek Road
Mailing Address
Cashmere WA 98815
City State Zip

WRIA

Phone No. (509) 782-3161

2. Date water was first put to use on your property (see instructions) Month 5 and Year 1946

3. COMPLETE ONLY ONE BOX BELOW (please read the instructions)

3a. GROUND WATER

☒ Well

☐ Infiltration Trench

☐ Other _____

Give Name

4a. INSTANTANEOUS QUANTITY 0.2 gpm
(See Instructions 10 gpm=0.02 cfs ; 1 cfs=450 gpm)

5a. ANNUAL QUANTITY OF WATER 1,636 af/y
(One acre foot = 325,581 gallons)

3b. SURFACE WATER (Give name if known)

☐ _____

River

☐ _____

Lake

☐ _____

Creek

☐ _____

Spring

☐ _____

Ditch

☐ _____

Pond

☐ Other _____

4b. INSTANTANEOUS QUANTITY _____ cfs
(See Instructions 10 gpm=0.02 cfs ; 1 cfs=450 gpm)

5b. ANNUAL QUANTITY OF WATER _____ af/y
(One acre foot = 325,581 gallons)

6. PURPOSE OF USE:

☒ Irrigation (Number of acres irrigated) 9

☐ Domestic Use (Number of units) _____

☐ Commercial (Description) _____

☐ Stockwater

☐ Municipal

☐ Other (List all) _____

7. PERIOD OF USE: ☐ Continuous or ☒ Seasonal From 5/15 To 9/15

8. LOCATION OF THE POINT OF DIVERSION/WITHDRAWAL:

Approximately 246 Feet (north, south) and 360 Feet (east, west) From The SE Corner of Section 08

? Being Within The _____ 1/4 _____ 1/4 of Section _____ T. _____ N., R. _____ (E. or W.) W.M.

9. IF THE POINT OF DIVERSION/WITHDRAWAL IS LOCATED ON PLATTED PROPERTY:

Lot _____ Block _____ of _____ (Plat or Addition)

Section _____ T. _____ N., R. _____ (E. or W.) W.M.

10. LEGAL DESCRIPTION OF PROPERTY WHERE WATER IS USED:

S1/2N1/2SESE & N1/2S1/2ESE

Within Section 08 T. 23 N., R. 19 (E. or W.) W.M., County Chelan

11. TAX PARCEL NUMBER: 23 19 08 440100

? 12 LEGAL DOCTRINE: ☐ Appropriation ☐ Riparian ☐ Other _____

REGISTRATION NUMBER

Reject

THIS IS NOT A WATER RIGHT

If this form is not fully completed, it will be returned.

I hereby swear that the above information is true and accurate to the best of my knowledge.

Signature: Donald F. Smith

Date: 6-23-98

Central Regional Office

WRATS REPORT BY TRS

C.M. WATER RIGHT RESEARCH FOR DON SMITH

| CONTROL NUMBER | TYPE/ STAT | BUSINESS/PERSON NAME | PRIORITY DATE | WRIA CODE | COUNTY NAME | Qi | ACRE FT/YR | PURPOSES | SOURCE | TRS | QUAD | AJUD CODE |
|-------------------|---------------|------------------------------------|------------------|--------------|----------------|---------|---------------|----------|----------------|----------------|----------|--------------|
| G4-084174CL | CL[L] | MISSION CRK COMMUNIT | 1946 | 45 | CHELAN | | | DG IR | WELL | T23 N/R19 E- 8 | | |
| G4-033622CL | CL[L] | PAINE, VIVIANNE | 1930 | 45 | CHELAN | | | DG ST IR | WELL | T23 N/R19 E- 8 | | |
| G4-078639CL | CL[L] | PATON, KENNETH D. | 1944 | 45 | CHELAN | | | DG | WELL | T23 N/R19 E- 8 | | |
| G4-161011CL | CL[S] | PETERSON, FRED W | | 45 | CHELAN | | | DG IR | | T23 N/R19 E- 8 | | |
| G4-090841CL | CL[S] | PHILLIPS, WILLIAM T | | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| S4-096152CL | CL[L] | PHILLIPS, WILLIAM T | 1890 | 45 | CHELAN | | | IR | MISSION CREEK | T23 N/R19 E- 8 | | |
| G4-082446CL | CL[S] | POLLARD, RICKY W. | | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| G4-0075GWRIS | CE | RANKIN JAMES L, | 5/01/78 | 45 | CHELAN | 90.000 | 52.00 | IR-FP | WELL | T23 N/R19 E- 8 | | |
| S4-00489CWRIS | CE | RANKIN JAMES L, | 7/05/84 | 45 | CHELAN | .010 | 2.00 | DS | UNNAMED SPRING | T23 N/R19 E- 8 | SE/4SE/4 | |
| G4-030599CL | CL[L] | RANKIN, JAMES L. | 1943 | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| S4-032916CL | CL[L] | RANKIN, JAMES L. | 1888 | 45 | CHELAN | | | IR | MISSION CREEK | T23 N/R19 E- 8 | | |
| S4-045395CL | CL[L] | RANKIN, JAMES L. | 1964 | 45 | CHELAN | | | DG ST | SPRING | T23 N/R19 E- 8 | | |
| G4-072051CL | CL[L] | RANKIN, JAMES L. | 1933 | 45 | CHELAN | | | DG IR | WELL | T23 N/R19 E- 8 | | |
| G4-098897CL | CL[L] | ROBERTSON, ROY M JR | 1943 | 45 | CHELAN | | | DG IR | WELL | T23 N/R19 E- 8 | | |
| G4-028539CL | CL[L] | SCHRIMPF, ALMA M. | 1968 | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| G4-062473CL | CL[S] | SCOTT, ALICE M. | | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| S4-054034CL | CL[L] | SMELTON, ROBERT | 1974 | 45 | CHELAN | | | IR | MISSION CREEK | T23 N/R19 E- 8 | | |
| G4-25353CWRIS | CE | SMITH DONALD F, <i>House water</i> | 7/12/77 | 45 | CHELAN | 100.000 | 51.00 | IR | WELL | T23 N/R19 E- 8 | SE/4SE/4 | |
| G4-120782CL | CL[L] | SMITH, DONALD F | 1947 | 45 | CHELAN | | | DG | WELL | T23 N/R19 E- 8 | | |
| G4-120783CL | CL[L] | SMITH, DONALD F | 1947 | 45 | CHELAN | | | IR | WELL | T23 N/R19 E- 8 | | |
| G4-019467CL | CL[L] | STROHM, BEULAH C. | 1965 | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| G4-092517CL | CL[L] | TAYLOR, TROY M | 1961 | 45 | CHELAN | | | DG | WELL | T23 N/R19 E- 8 | | |
| G4-040180CL | CL[L] | THOMASON JR., PATEN | 1966 | 45 | CHELAN | | | DG IR | WELL | T23 N/R19 E- 8 | | |
| G4-001315CL | CL[L] | TURNER, JOHN W. | 1912 | 45 | CHELAN | | | DG IR | | T23 N/R19 E- 8 | | |
| G4-00465CL | CL[S] | VAN SLYKE, H ROY | | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |
| G4-25243CWRIS | CE | WALSH PATRICK, | 4/25/77 | 45 | CHELAN | 50.000 | 16.00 | IR | WELL | T23 N/R19 E- 8 | SE/4NE/4 | |
| G4-047046CL | CL[L] | WALSH, PATRICK | 1945 | 45 | CHELAN | | | DG IR | WELL | T23 N/R19 E- 8 | | |
| S4-047047CL | CL[L] | WALSH, PATRICK | 1961 | 45 | CHELAN | | | IR | MISSION CREEK | T23 N/R19 E- 8 | | |
| S4-047048CL | CL[L] | WALSH, PATRICK | 1961 | 45 | CHELAN | | | IR | MISSION CREEK | T23 N/R19 E- 8 | | |
| G4-126484CL | CL[L] | WARREN, KENNETH B | 1962 | 45 | CHELAN | | | DG | WELL | T23 N/R19 E- 8 | | |
| G4-005557CL | CL[L] | WATERS, LOTTIE G. | 1957 | 45 | CHELAN | | | DG | | T23 N/R19 E- 8 | | |

NOTE

This report contains information about water right Certificates, Permits, and Claims. Because of unauthorized changes or non-use, Ecology cannot guarantee the validity of the Permits, and Certificates. Validity of Claims can only be determined in Superior Court. You are encouraged to verify that current use is consistent with the document as described.